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January 5, 2005

**FAX**

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Centralized Fax Dept. GAU 2837 Examiner Bentsu Ro	703.872.9306	U.S. Patent and Trademark Office Alexandria, VA 22313-1450

Brenda O. Holmes  
FROM

10  
PAGES (WITH COVER)

6559  
REFERENCE NO

44471/293132  
CLIENT/MATTER NO.

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**COMMENTS**

Applicant: Hibiki OGURA  
Title: Rotation Speed Control Apparatus of Open Close Body for Vehicle and Rotation Speed Control Method of the Same  
Serial No./Docket No.: 10/684,080 44471/293132  
Filed: 10/09/2003

**PAPERS SUBMITTED:**

1. PTO/SB/21 – Transmittal form;
2. PTO/SB/22 – Petition for Extension of Time under 37 CFR 1.136(a) FY 2005;
3. PTO/SB/06 – Patent Application Fee Determination Record; and
4. First Response in application to non-final Office Action of 11/01/2004.

Date: January 5, 2005  
By: Brenda O. Holmes, Reg. No. 40,339

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PTO/SB/21 (08-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/684,080
	Filing Date	10/09/2003
	First Named Inventor	Hibiki OGURA
	Art Unit	2837
	Examiner Name	Bentsu Ro
Total Number of Pages in This Submission	Attorney Docket Number	44471/293132

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB/06 - Patent Application Fee Determination Record
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	KILPATRICK STOCKTON LLP		
Signature	<i>Brenda O. Holmes</i>		
Printed name	Brenda O. Holmes		
Date	01.05.2005	Reg. No.	40,339

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO's Centralized Facsimile Number (703) 872.9306 on the date shown below.		
Signature	<i>Janie Wilkins</i>	
Typed or printed name	Janie Wilkins	Date 1/5/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/06 (12-04)

Approved for use through 7/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b>						Application or Docket Number <b>10/684,080</b>			
Substitute for Form PTO-875									
<b>APPLICATION AS FILED – PART I</b>									
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY			
FOR	NUMBER FILED	NUMBER EXTRA	RATE (\$)	FEE (\$)	RATE (\$)	FEE (\$)			
BASIC FEE (37 CFR 1.16(a), (b), or (c))	N/A	N/A	N/A		N/A	770			
SEARCH FEE (37 CFR 1.16(i), (j), or (m))	N/A	N/A	N/A		N/A				
EXAMINATION FEE (37 CFR 1.16(o), (p), or (q))	N/A	N/A	N/A		N/A				
TOTAL CLAIMS (37 CFR 1.16(f))	7	minus 20 = - 0	x	=	x 18	= 0			
INDEPENDENT CLAIMS (37 CFR 1.16(h))	2	minus 3 = - 0	x	=	x 84	= 0			
APPLICATION SIZE FEE (37 CFR 1.16(s))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).								
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))			N/A		N/A				
* If the difference in column 1 is less than zero, enter "0" in column 2.			TOTAL		TOTAL	770			
<b>APPLICATION AS AMENDED – PART II</b>									
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDI-TIONAL FEE (\$)	RATE (\$)	ADDI-TIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	7	Minus 20	= 0	x	=	x 50	= 0	
	Independent (37 CFR 1.16(h))	2	Minus 3	= 0	x	=	x 200	= 0	
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			N/A		N/A			
TOTAL ADD'L FEE					TOTAL ADD'L FEE	0			
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE (\$)	ADDI-TIONAL FEE (\$)	RATE (\$)	ADDI-TIONAL FEE (\$)		
	Total (37 CFR 1.16(i))	"	Minus "	=	x	=	x	=	
	Independent (37 CFR 1.16(h))	"	Minus ***	=	x	=	x	=	
	Application Size Fee (37 CFR 1.16(s))								
	FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))			N/A		N/A			
TOTAL ADD'L FEE					TOTAL ADD'L FEE				
<p>* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.</p> <p>** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".</p> <p>*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".</p> <p>The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.</p>									

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hibiki OGURA

Serial No. 10/684,080

Filed: October 9, 2003

For: Rotation Speed Control Apparatus of  
Open Close Body for Vehicle and  
Rotation Speed Control Method of  
the Same

Art Unit: 2837

Examiner: Ro, Bentsu

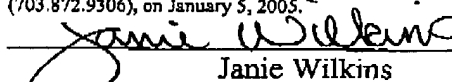
Attorney Docket No. 44471/293132

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## CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

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(703.872.9306), on January 5, 2005.



Janie Wilkins

DATE: January 5, 2005

## FIRST RESPONSE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Office action dated November 1, 2004 in the patent  
application identified above, please enter the following amendments and reconsider the  
application in view of the appended remarks.

**Amendments to the Claims** are reflected in the listing of claims, which  
begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.